IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1630 OF 2005
IN
EXECUTION APPLICATION NO.407 OF 2003

ICDS Limited Plaintiff

versus

M/s.GSCL Trading Co. and another Defendant

Ramesh Jain for plaintiff

Birendra Saraf i/by V. Deshpande & Co. for defendant no.2.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 13th June 2005

PC :

1. Mr.Saraf appearing in support of this notice of motion prays for leave to withdraw the notice of motion with liberty to file a chamber summons for the relief claimed in the notice of motion. Mr.Jain appearing for plaintiff has no objection to this course. Accordingly Notice of Motion No.1630 of 2005 in Execution Application No.407 of 203 is allowed to be withdrawn with liberty to take out chamber summons. On such chamber summons being taken out, office to place the same before appropriate Court. It will be open for the second defendant to apply for ad-interim orders in terms of chamber summons and raise

appropriate contentions and withdrawal of the notice of motion would not constitute a bar in doing so or for the Court considering the same. All contentions of the plaintiffs are also kept open.

(S.C.DHARMADHIKARI, J.)